

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 9, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-25271 - APPLICANT: VENTURE DEVELOPMENT GROUP - OWNER: SAITTA FAMILY TRUST**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. The employee parking lot shall not be utilized for the storage of automobiles. A Site Development Plan Review will be required if such use is requested.
2. Conformance to the conditions for Rezoning [Z-64-95(2)] and Special Use Permit (SUP-25270) if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and building elevations date stamped 10/23/07 and landscape plan date stamped 11/08/07 except as amended by conditions herein.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting Town Center Design Standards concurrent with on-site development activities.
13. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets unless incompatible uses can be demonstrated to the satisfaction of the City Engineer.
14. Provide a copy of a recorded perpetual, irrevocable access agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
15. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a throat depth requirements for the driveways accessing this site.
16. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

18. A Traffic Impact Analysis update must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. Site development to comply with all applicable conditions of approval for the Ann/Tenaya Commercial Subdivision and all other site-related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is an application request for a Site Development Plan Review for a 34,500 square-foot Retail Center, including a 25,000 square-foot Child Care Center on 6.05 acres at the northwest corner of Tenaya Way and Sky Pointe Drive.

The proposed development is compatible with surrounding development and development in the area; therefore staff recommends approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
09/14/98	The City Council approved a Special Use Permit (U-86-98) for Gasoline Sales and the Off-Premise sale of Beer and Wine in conjunction with a proposed Convenience Store. Planning Commission and staff recommended approval.
09/14/98	The City Council approved a Site Development Plan Review [Z-64-95(2)] for on property located north of Ann Road, between U.S. 95 and Tenaya Way, for a proposed 114,798 square-foot Retail Shopping Center, C-2 (Limited Commercial) and R-E (Residence Estates) Zones under Resolution of Intent to C-1 (Limited Commercial) on 11.38 Acres. Planning Commission and staff recommended approval.
12/07/98	The City Council approved a Rezoning (Z-76-98) of this site to T-C (Town Center District) as part of a larger overall request.
12/06/07	<p>The Planning Commission recommended approval of companion item SUP-25270 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #34/jm).</p>
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits or business licenses that pertain to this site.	
<b><i>Pre-Application Meeting</i></b>	
10/10/07	A pre-application meeting was held with the applicant. The applicant was informed that the request would require a Site Development Plan Review and a Special Use Permit for Restaurant with Drive Through per Town Center Development Standards. The applicant was also informed that the parking lot designated for the new employee parking lot for the automobile dealership to the west would not require an amendment to the automobile dealership's approved Site Development Plan Review and a Major Modification of Town Center Land Use as it was to be used for employee parking and not for automobile inventory parking. Submittal requirements were then discussed in detail.

<b>Field Check</b>	
11/01/07	A field check was made on site. The proposed site is part of a commercial subdivision with only a small portion on the southeast that is developed with a convenience store with gas pumps. The proposed site plan is on the undeveloped portion of the commercial subdivision, which is primarily flat in grade.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	6.05

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Tavern and Offices	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Automobile Dealership	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>			
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
T-C Town Center District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

*Pursuant to Town Center Development Standards, the following standards apply:*

<b>Standard (SC-TC)</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks			
• Front	15 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	49 Feet	Y
Max. Building Height	2 stories	1 story, 34 feet*	Y*
Trash Enclosure	Screened, roofed	Screened, roofed	Y
Mech. Equipment	Screened	Screened	Y

*\*The proposal meets Title 19.08 Residential Adjacency Standards for height.*

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope	102 Feet (34 Feet)	145 Feet	Y
Adjacent development matching setback	20 Feet	145 Feet	Y
Trash Enclosure	50 Feet	>50 Feet	Y

*Pursuant to Town Center Development Standards, the following landscape standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree/ 6 parking spaces	23 Trees	46 Trees	Y
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	24 Trees	52 Trees	Y
<b>TOTAL</b>		47 Trees	98 Trees*	Y
Min. Zone Width along Right of Way	15 Feet		15 Feet	Y
Open Space	20%		20.7%	Y

*\*The applicant has proposed a total of 374 trees dispersed throughout the site.*

***Pursuant to Title 19.10, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Child Care Center	25,000 SF, 25 staff, 200 children	1 per staff, 1 per 10 children	45				
Restaurant with Drive Through	3,000	1:100	30				
Retail Store, (3,500 SF or More)	7,500	1:175	43				
Existing General Retail Store	4,193		13*				
Subtotal			125	6	130	6	
TOTAL			131		136		Y
Loading Spaces			2		2		Y

*\*The existing 4,193 square-foot General Retail Store is parking impaired as defined in Title 19.10. The parking standards provided in the approved Special Use Permit (U-86-98) required the Convenience Store to provide 13 parking spaces.*

## ANALYSIS

- Zoning**

The subject property has a General Plan designation of TC (Town Center). This is intended to be the principal employment center for the Northwest and is a mixed-use development category. The zoning of T-C (Town Center) with a proposed SC-TC (Service Commercial – Town Center) special land use designation complies with this designation. The Service Commercial District allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses. Projects located within the Town Center area are subject to the Town Center Development Standards as well as Title 19.

- **Use**

The Child Care Center and General Retail establishment are permitted within the T-C (Town Center) zone; however, the Restaurant with Drive Through is permitted with a Special Use Permit (SUP-25270), which the applicant has requested and will be heard along with this item.

Per Title 19.04, the proposed 25,000 square-foot Child Care Center use is subject to the following conditions:

<b>Required</b>	<b>Compliance</b>
1. Access to the child care center shall be by means of a collector street or larger.	The applicant meets this condition as Tenaya Way, an 80-foot wide Secondary Collector as defined in the Master Plan Streets and Highways.
2. The maximum lot coverage shall not exceed 30 percent.	The applicant meets this condition as the lot coverage is 11.8 percent.
3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.	The applicant in their justification letter stated that children will not be dropped off or picked up. Parents will have to escort their children into the building to log them into the facility then later when their child is picked up park their vehicle and enter the building to log them out of the facility.
4. Where structures or play areas have residential adjacency:	
a. An 8-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center, and shall be a variety that will grow together to form a visual screen.	An existing wall buffers the residential community to the north. The applicant has proposed trees along the north perimeter of the site.
b. The building entrance and access shall be oriented away from residential uses on local streets.	The building entrance and access is oriented away from residential.
c. Outdoor play shall be limited to daylight hours.	The applicant contends they will comply with this standard.



d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.	The applicant contends they will comply with this standard
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- **Site Plan**

The site is currently undeveloped. This proposal is for a 34,500 square-foot Retail Center, including a 25,000 square-foot Child Care Center. The 25,000 square-foot Child Care Center is located on the northeast portion of the parcel while the 3,000 square-foot Restaurant with Drive Through and 7,500 square-foot retail establishment are located on separate pads to the southwest.

On the northwest portion of the site, the applicant has proposed 267 parking spaces for employees of the automobile dealership west of the parcel. The parking lot can only be accessed by the automobile dealership as two drive aisles have been proposed. The parking lot cannot be accessed internally, as landscape planters block potential access to the east and south.

There are multiple driveways 32 to 36 feet in width that provide access to the site. Two driveways to the south of the commercial subdivision along Sky Pointe Drive are situated to provide access to the restaurant and retail stores. Three driveways to the east of the parcel are situated to provide access to the retail store and child care center.

The proposed commercial establishment requires 131 parking spaces. The existing 4,193 square-foot General Retail Store is parking impaired as defined in Title 19.10. The parking standards provided in the approved Special Use Permit (U-86-98) required the Convenience Store to provide 13 parking spaces. The submitted site plan indicates 136 spaces will be provided with six handicap accessible spaces spaced throughout the site; therefore, the site meets Title 19.10 Parking Standards.

- **Landscaping**

Pursuant to Town Center Development Standards is required to provide a 15 foot landscape buffer with Rio Grande Ash, Chitalpa, Mexican Fan Palms and Purple Robe Locust trees dispersed along the frontage of Tenaya Way and Sky Pointe Drive. The applicant provides 52 trees along the perimeter of the project where 24 trees are required; therefore, the site meets landscape standards. In addition, the applicant has provided 374 trees dispersed throughout the site. The open space provided at 20.7 percent for this project exceeds the requirements of the Town Center Development Standards and Title 19.

Pursuant to Title 19.10 Parking Standards the applicant is required to provide one landscape island per six spaces. The applicant provides 46 trees where 23 trees are required. The applicant exceeds these standards.

- **Elevations**

The submitted elevations for the retail store and the restaurant depict the use of stucco as the primary façade material with manufactured stone veneer on the pilasters. The proposed colors are a range of beige and dark bronze. The floor plans for the retail store and restaurant are typical for those types of uses.

The submitted elevations for the child care center show the use of stucco as the primary façade material with brick veneer aligning the pilasters and the lower portion of the building. The proposed colors are a range of light browns and dark bronze. The floor plan divides the 25,000 square-foot rectangular shaped building into multiple classrooms and activity areas with a circular reception area at the entrance.

## **FINDINGS**

The following findings must be made for an SDR:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development is compatible with surrounding development and development in the area; therefore staff recommends approval.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed project is consistent with Title 19 and Town Center Development Standards. A Special Use Permit (SUP-25270) has been submitted for a Restaurant with Drive Through, which should be suitable for the type of development proposed.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

Access to the development is via Tenaya Way, an 80-foot Secondary Collector defined in the Master Plan Streets and Highways and Sky Pointe Drive, a 90-foot Town Center Frontage Road. The development should not have an adverse effect on neighborhood traffic.

**4. “Building and landscape materials are appropriate for the areas and for the City;”**

The proposed building materials are generally consistent with City standards and will be appropriate for the area.

**5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The proposed building elevations are consistent with other retail centers in the area and will create a unified architectural theme for the development.

**6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The project will be subject to permit review and inspections, and therefore appropriate measures will be taken to protect public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 404 by Planning Department

**APPROVALS** 0

**PROTESTS** 0